

represents that the statements she made during that proffer session were truthful and accurate to the best of her knowledge. She agrees that during her cooperation, she will truthfully elaborate with respect to these and other subjects.

E. Ms. Lewinsky agrees that, upon the OIC's request, she will waive any evidentiary privileges she may have, except for the attorney-client privilege.

2. If Ms. Lewinsky fully complies with the terms and understandings set forth in this Agreement, the OIC: 1) will not prosecute her for any crimes committed prior to the date of this Agreement arising out of the investigations within the jurisdiction of the OIC; 2) will grant her derivative use immunity within the meaning and subject to the limitations of 18 United States Code, Section 6002, and will not use, in any criminal prosecution against Ms. Lewinsky, testimony or other information provided by her during the course of her debriefing, testimony, or other cooperation pursuant to this agreement, or any information derived directly or indirectly from such debriefing, testimony, information, or other cooperation; and 3) will not prosecute her mother, Marsha Lewis, or her father, Bernard Lewinsky, for any offenses which may have been committed by them prior to this Agreement arising out of the facts summarized above, provided that Ms. Lewis and Mr. Lewinsky cooperate with the OIC's investigation and provide complete and truthful information regarding those facts.

3. If the OIC determines that Ms. Lewinsky has intentionally given false, incomplete, or misleading information or testimony, or has otherwise violated any provision of this Agreement, the OIC may move the United States District Court for the District of Columbia which supervised the grand jury investigating this matter for a finding that Ms. Lewinsky has breached this Agreement, and, upon such a finding by the Court, Ms. Lewinsky shall be subject to prosecution for any federal criminal violation of which the OIC has knowledge, including but not limited to perjury, obstruction of justice, and making false statements to government agencies. In such a prosecution, the OIC may use information provided by Ms. Lewinsky during the course of her cooperation, and such information, including her statements, will be admissible against her in any grand jury, court, or other official proceedings.

4. Pending a final resolution of this matter, the OIC will not make any statements about this Agreement to representatives of the news media.